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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,078	12/31/2001	Tomihiko Azuma	029471-0156	5626

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FOLEY AND LARDNER
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3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

ROBINSON, GRETA LEE

ART UNIT	PAPER NUMBER
2177	

DATE MAILED: 05/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/032,078

Applicant(s)

AZUMA, TOMIHIKO

Examiner

Greta L. Robinson

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-9 are pending in the present application.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Drawings

3. The drawings are objected to because the numbering of the views is not in compliance with 37 CFR 1.84. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

4. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Note description of figure 1 in the Background of the Invention starting on page 2 lines 1-20. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

5. The disclosure is objected to because of the following informalities:
 - page 2 line 1, "device 1" should read "device 10"

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- page 2 line 3, "M1a" should read "M10a"
- page 2 line 5, "M1b" should read "M10b"
- page 2 line 7, "data processor 2" should read "data processor 20"
- Applicant is asked to correct the reference to elements in the drawings noted on page 2 lines 7-20 so that they correspond to the appropriate figure
- page 4 line 7, after the word "post" insert a period "."
- Page 11 line 12, "Fig. 11" should read "Fig. 11a and 11b"

Appropriate correction is required.

Claim Objections

6. Claim 1 is objected to because of the following informalities: a colon ":" is needed after the word "comprising" to distinguish between the preamble and the body of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claims 1-9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which

was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 1-9 the specification does not appear to define how a filter is built, with respect to filtering means (see page 5 line 14 and page 13 lines 17-24). A specific filtering condition does not appear to be defined with respect to applying a filtering condition. The disclosure does not appear to describe a specific technique note page 13 lines 5-13. The disclosure simply states that the filtering condition is composed of an attribute of the contents and an attribute of the organization information and does not set a specific formula for evaluating information that is to be filtered.

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 4 and 7 the limitation "management span" is vague [See claim 1 line 3; claim 4 line 4; and claim 7 line 4]. It is unclear as to what Applicant means by the term "management span", this term does not appear to be defined within the disclosure.

Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term "post" in claims 1, 4 and 7 is used by the claim to mean "file", while the accepted meaning is "to submit an article in a newsgroup or other online forum." The term is indefinite because the specification does not clearly redefine the term.

Regarding claims 2, 5, and 8 the following term is vague: "filtering condition" [Note claim 2 line 5; claim 5 line 5; and claim 8 line 5]. The specification does not appear to define a specific filtering condition technique. Also it is unclear as to what determines a weight of necessity with respect to the limitation "represents information necessary for performing a job". How does the system determine this weight. Claims 3, 6 and 9 are rejected based on dependency.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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12. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitabayashi et al. US Patent 5,920,858 in view of Cheng US Patent 6,067,548.

Regarding claim 1, **Kitabayashi et al.** teaches a filtering system comprising:
means for filtering solely information, which is included in a management span of a post to which a user belongs, from information on an enterprise, using management span information that is included in organization definition information containing an enterprise organization and that represents a management responsibility range of each post [note: filter managing unit 2, filter data section 2a and filter information managing tale 2b figure 1; also see column 6 lines 3-13; column 7 line 51 through column 8 line 36]. Although Kitabayashi et al. teaches the invention substantially as cited above, they do not explicitly teach that the filtering system is an enterprise filtering system. Cheng teaches an organizational database that supports collaborative computing in a global enterprise [note: abstract; enterprise 58 figure 3; column 10 line 21 through column 11 line 43]. It would have been obvious to one of ordinary skill at the time of the invention to have combined the cited references because Cheng's OMM would provide flexible enterprise modeling and design and provide filtering of data in Kitabayashi et al on a dynamic level.

13. Regarding claims 2 and 3, Kitabayashi et al. teaches "an organization definition information storage unit" note storage unit 8 figure 1; a "contents storage unit" note object data section 1a figure 1; and a "filter definition information generating means for

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receiving said organization definition information" note filter data section 2a, also note figure 7.

14. The limitations of claims 4-9 parallel system claims 1-3; therefore they are rejected under the same rationale.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pohlmann et al. US Patent 6,366,926 B1

Hayashi et al. US Patent 5,873,088

Johnson et al. US patent 5,813,009

Goldman et al. US Patent 6,314,427 B1

Fowlow et al. US Patent 6,083,277


VanderDrift US Patent 5,455,945

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta L. Robinson whose telephone number is (703) 308-7565. The examiner can normally be reached on Mon.-Fri. 9:30AM-6:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



GRETA ROBINSON
PRIMARY EXAMINER

Greta Robinson
Primary Examiner
May 12, 2004